

STAT OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES

In re: Brian Bannon

Petition No. 2001-0716-041-001

CONSENT ORDER

WHEREAS, Brian Bannon of West Haven, CT (hereinafter "respondent") has been issued license number 000034 to practice as an asbestos consultant with the certification of project designer by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. On or about July 13, 2001, he pled guilty to mail fraud in violation of Title 18 U.S.C. §§1341 and 1342 in connection with a federal investigation into municipal corruption in Bridgeport, CT. In connection with said guilty plea, respondent admitted: (w) he was the secretary of Asbestos Abatement & Insulation Services Corp. (hereinafter "AAIS"); (x) he based AAIS's fee to remove asbestos containing materials from properties owned by the City of Bridgeport, CT on inflated pre-demolition surveys, knowing that the survey amounts pertaining to the estimate of asbestos containing materials to be removed from each property were inflated by twenty percent (20%); (y) he agreed to kick back to individual C the amount of ten percent (10%) of the fees generated from the removal of asbestos from the properties owned by the City of Bridgeport, CT and (z) he also charged the City of Bridgeport, CT for certain equipment, knowing that such

equipment was not used in connection with the removal of asbestos from the city's properties, in order to pay a kick back to individual C.

2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §§19a-14(c) and 19a-17(a).

WHEREAS, the respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10 and 19a-14 of the General Statutes of Connecticut.

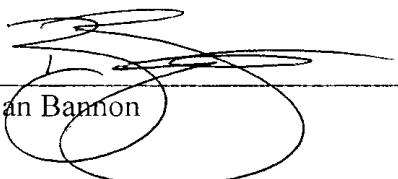
NOW THEREFORE, pursuant to §§19a-14 and 19a-17 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter and any right to a hearing he may have regarding any request that his license be reinstated or that a new license be issued. Respondent also waives any right that he may have to appeal or otherwise challenge the disposition of any such request.
2. Respondent's license number 000034 to practice as an asbestos consultant with the certification of project designer in the State of Connecticut is hereby revoked.
3. Respondent shall pay a civil penalty of five hundred dollars (\$500) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.

4. Respondent understands and voluntarily agrees that if he seeks a new license or to reinstate license number 000034 at any time in the future, the Department shall have absolute discretion as to whether said license shall be issued or reinstated and, if so, whether said license shall be subject to conditions.
5. Respondent shall comply with all applicable state and federal statutes and regulations.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. This Consent Order is effective on the date this Consent Order is accepted by the Department.
8. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Department in which his compliance with this Consent Order or with Chapters 400a or 3681 of the General Statutes of Connecticut, as amended, is at issue.
9. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.
10. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.


11. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
12. Respondent has the right to consult with an attorney prior to signing this document.

I, Brian Bannon, have read the above Consent Order and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



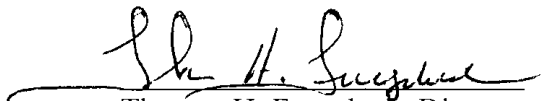
Brian Bannon

Subscribed and sworn to before me this 5th day of March 2002.



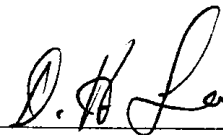
Notary Public or person authorized by law
To administer an oath or affirmation
My Commission Expires Nov. 30, 2003

The above Consent order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 6th day of March 2002, it is hereby accepted.



Thomas H. Furgalack, Director
Division of Environmental Health

The above Consent Order having been presented to the duly appointed agent of the
Commissioner of the Department of Public Health on the 6th day of
March 2002, it is hereby accepted.



Donald H. Levenson, Esq.
Hearing Officer
Public Health Hearing Office.